

REMARKS

Claims 1-8 are pending in this application after this amendment. Based on the remarks made herein, Applicants respectfully request reconsideration and withdrawal of the outstanding rejections.

By this amendment, Applicants have amended the claims to more appropriately recite the claimed invention. These amendments are being made without conceding the propriety of the Examiner's rejections, but merely to timely advance prosecution of the present application.

Examiner Interview

Applicants wish to thank the Examiner and his Supervisor for the Interview conducted on August 28, 2008. During the Interview, the parties discussed the claimed invention in light of the teachings of the cited art. The parties further discussed additional claim elements that the parties agreed would overcome the outstanding rejections. The arguments and claim amendments are presented herein based on the discussion between the parties during the Interview.

Prior Art Rejections

In support of the Examiner's rejection of claim 1, the Examiner asserts that Sasamoto discloses all of the elements recited in the claim, except "wherein the transfer unit has a rotary fulcrum in the vicinity of an extension of the axis of a transfer member located on one end portion in the sheet transferring direction so as to be approximately parallel to the axis, and can be rotated on the rotary fulcrum in directions of moving to and from the image carriers, and wherein a distance between any two of the transfer members stays constant during a rotation of the transfer unit." The Examiner relies on the teachings of Hamada to cure the deficiencies of the teachings of Sasamoto, citing to Applicants' specification, particularly to paragraphs [0004]-[0011] of the U.S. Patent Application Publication No. 2004/0062577. The Examiner asserts that it would have been obvious to one skilled in the art to modify the image forming apparatus of Sasamoto to include the teachings of Hamada for the benefit of having a proper image, which is formed by the easy configuration and tuning activity as taught by Hamada, citing to paragraph

22. Applicants respectfully disagree that the teachings of the cited references are sufficient to render claim 1 obvious.

Claim 1 recites an image forming apparatus comprising a transfer unit having a rotary fulcrum **positioned outside the belt and in the vicinity of an extension of the axis of a transfer member** located on one end portion in the sheet transferring direction so as to be approximately parallel to the axis, and can be rotated on the rotary fulcrum in directions of moving to and from the image carriers, and wherein a distance between any two of the transfer members stays constant during a rotation of the transfer unit.

However, according to the teachings of Hamada, the cam 10 is arranged around the shaft center of a transfer roller 7 (Abstract). Cam 10 is allocated inside the transportation belt 9 [0014].

Applicants respectfully submit that these teachings are insufficient to teach or suggest transfer unit having a rotary fulcrum **positioned outside the belt and in the vicinity of an extension of the axis of a transfer member** located on one end portion in the sheet transferring direction so as to be approximately parallel to the axis, as required by claim 1. This was agreed upon between the parties during the Interview. Hamada clearly discloses that cam 10 is arranged around the shaft center of transfer roller 7 and positioned inside the transportation belt 9. Applicants therefore submit that this teaching is insufficient to teach or suggest the rotary fulcrum in the vicinity of an extension of the axis of a transfer member so as to be approximately parallel to the axis.

As Hamada fails to cure the deficiencies of the teachings of Sasamoto, Applicants respectfully submit that the Examiner has failed to establish *prima facie* obvious. It is respectfully requested that the outstanding rejection be withdrawn.

In addition, for the reasons of record, and based on the discussions between the parties during the Interview, Applicants maintain that there is no motivation to combine the teachings of the cited art.

It is respectfully submitted that claims 2-4 and 6-8 are allowable for the reasons set forth above with regard to claim 1 at least based on their dependency on claim 1. It is further respectfully submitted that claim 5 includes elements similar to those discussed above with regard to claim 1 and thus claim 5 is allowable for the reasons set forth above with regard to claim 1.

In view of the above remarks, Applicants believe the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Catherine M. Voisin Reg. No. 52,327 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.147; particularly, extension of time fees.

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Respectfully submitted,

By 

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